

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

r4, VASCULAR, INC.,

Chapter 11

Case No. 13-12409 (SCC)

Debtor.

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**ORDER CONDITIONALLY APPROVING DEBTOR r4  
VASCULAR INC.'S DISCLOSURE STATEMENT AND SCHEDULING  
HEARING TO CONSIDER: (A) FINAL APPROVAL OF DEBTOR'S  
DISCLOSURE STATEMENT UNDER 11 U.S.C. §1125; AND (B)  
CONFIRMATION OF DEBTOR'S CHAPTER 11 PLAN UNDER 11 U.S.C. §1129**

**UPON** the filing of a Chapter 11 Plan, dated November 14, 2013 (the "Plan") by r4 Vascular, Inc. (the "Debtor") and the Debtor's Disclosure Statement dated November 14, 2013 (the "Disclosure Statement"), or as same may be subsequently amended, by its attorneys the Law Offices Of Scott A. Steinberg, and good and sufficient cause appearing therefore, it is hereby

**ORDERED** that pursuant to §§ 105(d)(2)(B)(vi) and 1125(f)(3) of title 11 of the United states Code, 11 U.S.C. §§ 101 *et seq.* (the "Bankruptcy Code") and Rules 2002(b) and 9006 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), a hearing (the "Hearing") shall be held before the Honorable Shelley C. Chapman, United States Bankruptcy Judge, at the United States Bankruptcy Court, Southern District of New York, One Bowling Green, Courtroom 621, New York, New York 10004 on the 29th day of January 2014 at 10:00 a.m. or as soon thereafter as counsel may be heard, to (1) consider final approval of the Disclosure statement pursuant to §1125 of the Bankruptcy Code; and (2) consider confirmation of the Plan pursuant to §1129 of the Bankruptcy Code, with such other and further relief as is proper under the circumstances; and it is further

**ORDERED** that the Hearing may be adjourned from time to time without further notice except for announcement of the adjourned date or dates in open court at the Hearing (or any adjournments thereof) or by filing the agenda for such hearing; and it is further

**ORDERED** that the Disclosure Statement is hereby conditionally approved as containing “adequate information” pursuant to §1125(a) and (f) of the Bankruptcy Code, subject to final approval after the Hearing; and it is further

**ORDERED** that the Debtor is authorized and empowered to distribute the Plan and solicit acceptances or rejections of the Plan; and it is further

**ORDERED** that in accordance with Bankruptcy Rule 3017.1 and Local Bankruptcy Rule 3017-1, by the close of business on December 16, 2013, the Debtor shall serve by ordinary mail, on all known creditors, interest holders, the U.S. trustee and other parties in interest, a copy of this order, the Plan, the Disclosure Statement, and a ballot in conformity with Official form 14 (with instructions for returning the ballot), and a notice stating that:

- (a) The last date by which the holders of claims and interests may accept or reject the plan is January 13, 2014 at 4:00 p.m. eastern time (“Voting Deadline”);
- (b) The time for filing objections to the Disclosure Statement and/or confirmation of the Plan has been fixed as January 22, 2014;
- (c) The date for hearing on final approval of the Disclosure Statement and confirmation of the Plan shall be January 29, 2014 at 10:00 a.m.
- (d) Describing the location for the foregoing hearings;

which shall constitute good and sufficient notice; and it is further

**ORDERED** that the Court hereby authorizes Scott A. Steinberg, Esq. to act as the Balloting Agent (the “Balloting Agent”) and that to be counted, ballots for accepting or rejecting the

Plan must be actually received by the Balloting Agent by the Voting Deadline in accordance with the instructions set forth on the ballot; and it is further

**ORDERED** that the Balloting Agent shall inspect, monitor and supervise the solicitation process and shall be responsible for tabulating ballots and certifying to the Court the outcome of the balloting. The Balloting Agent shall file a voting tabulation with the Court no later than 5:00 p.m. (prevailing Eastern Time) on January 22, 2014 as provided in Local Bankruptcy Rule 3018-1; and it is further

**ORDERED** that January 22, 2014 is fixed as the last date for filing and serving any written objections to (a) final approval of the Disclosure Statement and (b) confirmation of the Plan, which objections, if any, shall be filed with the Bankruptcy Court and served on counsel for the Debtor and the U.S. Trustee, with a copy to Judge Chapman's Chambers; and it is further

**ORDERED** that unless an objection is timely served and filed in accordance with this Order, it will not be considered; and it is further

**ORDERED** that the Debtor is authorized to make non-substantive/nonmaterial changes to the Disclosure Statement, the Plan, and related documents without further order of the Court, including, without limitation, changes to correct typographical or grammatical errors and to make conforming changes among the Disclosure statement, the Plan and any other solicitation materials prior to or subsequent to mailing (and file a blacklined copy of the same with the Court).

Dated: November 26, 2013  
New York, New York

/s/ Shelley C. Chapman  
HONORABLE SHELLEY C. CHAPMAN  
UNITED STATES BANKRUPTCY JUDGE